

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

PREFERRED TAX SERVICE, INC., :
 :
 : Civil Action No.
 Plaintiff, : 1:05-CV-00872-SLR
 :
 v. :
 :
 THE TAX AUTHORITY, INC., et al., :
 :
 :
 Defendants. :

**STATEMENT OF PATRICK J. DORAN, ESQUIRE, PURSUANT TO LOCAL
RULE 7.1.1 REGARDING MOTION OF DEFENDANTS THE TAX
AUTHORITY, INC. AND KENNETH M. LEESE TO STRIKE LETTER
OR, IN THE ALTERNATIVE, TO GRANT LEAVE FOR A RESPONSE.**

Patrick J. Doran, Esquire, deposes and states as follows:

1. I am counsel for defendants The Tax Authority, Inc. ("Tax Authority"), and Kenneth M. Leese ("Leese").
2. On December 16, 2005, contemporaneous with its Complaint, plaintiff filed a Motion for Temporary Restraining Order ("TRO Motion") [D.I. No. 2].
3. On January 5, 2006, Tax Authority and Leese filed a Brief in opposition to the TRO Motion, as well as the Affidavit of Kenneth M. Leese which is included in the supporting Appendix [D.I. No. 14].
4. On January 19, 2006 -- after a telephone conference during which the Court set a schedule for replies -- plaintiff filed a Reply Brief in support of its TRO Motion [D.I. No. 23].
5. On January 26, 2006, plaintiff filed a letter in further support of its TRO Motion ("Letter") [D.I. No. 28].
6. On January 30, 2006, I attempted to contact J.R. Julian, Esquire, plaintiff's counsel, by telephone to

request that plaintiff strike the Letter, which was filed without leave of Court and contrary to the Chief Judge Robinson's Chambers Procedures, particularly since the Letter falsely accused defendants of making "intentionally misleading statements" and otherwise required response.

7. I left a detailed voice mail message for Mr. Julian regarding this matter, and indicated that defendants would move to strike the Letter if he did not contact me by January 31, 2006, since the Court had indicated that it would address all outstanding matters, including the TRO Motion, upon the completion of briefing.

8. On January 31, 2006, I again attempted to contact Mr. Julian by telephone, and left another detailed voice mail message regarding this matter.

9. Mr. Julian has not responded.

I certify that this Statement is true and correct under penalty of perjury.


Patrick J. Doran, Esquire